

ENERGY STREAMLINING TASK FORCE PROJECT SUMMARY

Name: Focus Ranch Federal Exploratory Unit

EP-4

Entity Proposing Project: Stone & Wolf, LLC

Category of Project: Exploration & Production

Brief description of project: approval process of right-of-way to provide access to drilling operations.

Agencies that must be consulted and agencies from which approval is needed:

Federal: Bureau of Land Management (BLM)

Project Timeline:

Project approved by BLM, which also granted use of an existing right-of-way into the location – August 30, 1999

Three Forks (surface owner) denied any access and refused to negotiate a surface damage agreement

Three Forks appealed BLM's decision allowing use of right of way to Interior Board of Land Appeals, asserting that BLM did not perform necessary evaluation before granting right-of-way; BLM regional office did not substantiate or defend their decision to grant Stone & Wolf use of the right-of-way and IBLA suspended use of right-of-way

Lawsuit filed in U.S. District Court; trial date not set

Stone & Wolf granted suspension of agreement obligations due to matters beyond Unit Operator control – September 18, 2000

Three Forks requested State Director Review, which upheld suspension

Three Forks filed another appeal with IBLA requesting entire unit be suspended

Reasons for bringing project to the task force's attention: requests assistance from CEQ due to lack of support from BLM field office, which has elected not to address easement issues pending decision from U.S. District Court, despite having jurisdiction over these exact matters.